

(3)  
9/12/02

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

ALLEN MORSLEY,

:

Petitioner

CIVIL NO. 1:CV-01-1003

v.

(Judge Kane)

DONALD ROMINE,

:

Respondent

:

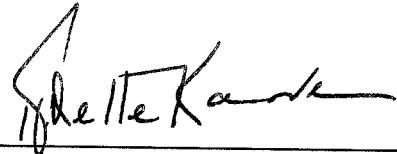
SEP 12 2002

MARY E. D'ANDREA, CLERK

Per \_\_\_\_\_ DEPUTY CLERK

ORDER

NOW, THIS 11<sup>th</sup> DAY OF Sept, 2002, upon consideration of the petitioner's motions for leave to conduct and file discovery "for use in the proceedings", IT IS HEREBY ORDERED THAT said motions (Doc. Nos. 18 & 19) are deemed withdrawn for failure to file supporting briefs. See M.D. Pa. Local Rule 7.5. Moreover, the Court notes that while other statutes authorize discovery in collateral challenges to convictions, see Rule 6 following 28 U.S.C. § 2254, such is not the case in § 2241 cases. See Harris v. Nelson, 394 U.S. 286, 294-299 (1969) (holding that the Federal Rules of Civil Procedure regarding discovery do not apply in § 2241 habeas petitions).



YVETTE KANE  
United States District Judge

YK:dlb